

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

INTERLOGIC OUTSOURCING, INC.,¹

Debtors.

Case No. 20-00325-swd

Hon. Scott W. Dales

Chapter 11

(Jointly Administered)

**JOINT MOTION TO APPROVE STIPULATION FOR THIRD CONTINUANCE OF
FINAL EVIDENTIARY HEARING ON MOTION FOR RELIEF FROM STAY**

COME NOW Wells Fargo Bank, N.A. ("Wells Fargo"), by counsel, Interlogic Outsourcing, Inc., IOI Payroll Services, Inc., IOI West, Inc., Lakeview Holdings, Inc., Lakeview Technology, Inc., ModEarn, Inc., and TimePlus Systems, LLC (collectively, the "Debtors"), by counsel, The Official Committee of Unsecured Creditors (the "Committee"), by counsel, and KeyBank National Association ("KeyBank"), by counsel, and file their *Joint Motion to Approve Stipulation for Third Continuance of Final Evidentiary Hearing on Motion for Relief From Stay*.

In support of their Joint Motion, the parties state as follows:

1. On November 13, 2019, Wells Fargo filed its Motion for Entry of an Order Pursuant to 11 U.S.C. § 362(d) Authorizing (I) Relief from the Automatic Stay to Enforce its Rights Against Bank Accounts and a Continued Freeze on the Accounts, or (II) Granting Adequate Protection (the "Motion").

¹ The Debtors include: Interlogic Outsourcing, Inc., Case No. 20-00325-swd; IOI Payroll Services, Inc., Case No. 20-00326-swd; TimePlus Systems, LLC, Case No. 20-00332-swd; IOI West, Inc., Case No. 20-00327-swd; Lakeview Technology, Inc., Case No. 20-00330-swd; Lakeview Holdings, Inc., Case No. 20-00329-swd; and ModEarn, Inc., Case No. 20-00331-swd.

2. On November 27, 2019, KeyBank filed its objection to the Motion.
3. On November 29, 2019, the Debtors filed their objection to the Motion.
4. On November 29, 2019, the Committee filed its objection to the Motion.
5. Per the *Order Setting Final Evidentiary Hearing on Motion for Relief from Stay and Corresponding Trial Instructions to Parties*, the Court scheduled a final evidentiary hearing pursuant to § 362(e) on March 23, 2019., with respect to the Motion (the “Order”).

6. By Order dated January 21, 2020 (the “Transfer Order”), the Hon. Harry C. Dees, Jr., United States Bankruptcy Judge for the Northern District of Indiana, transferred to the Western District of Michigan seven chapter 11 cases jointly administered under the lead case of Interlogic Outsourcing, Inc., NDIN Case No. 19-31445-HCD et al. (the “IOI Cases”), and several adversary proceedings. The premise of the Transfer Order is the relationship between the IOI Cases and the chapter 11 cases of Najeed Ahmed Khan, Case No. DK 19-04258, and related cases filed in the Western District of Michigan.² Before transfer of the IOI Cases, Judge Dees also entered an Order dated August 16, 2019, directing joint administration of the IOI Cases (the “Joint Administration Order”).

7. To allow the parties additional time to prepare and to discuss potential resolution of the Motion and objections thereto, Wells Fargo, the Debtors, the Committee, and KeyBank have reached an agreement to continue the hearing on the Motion to **May 20, 2020, at 11:00 a.m.**, the terms of which are set forth in the Stipulation attached hereto as Exhibit “A.”

8. The Stipulation also provides an extension of the deadline in which the parties are to respond to outstanding discovery requests, in which exhibit and witness lists are to be exchanged and filed with the Court and the time frame for depositions.

² Related cases: Khan Aviation, Inc., Case No. 19-04261-swd; GN Investments, LLC, Case No. 19-04262-swd; KRW Investments, Inc., Case No. 19-04264-swd; NJ Realty, LLC, Case No. 19-04266-swd; NAK Holdings, LLC, Case No. 19-04267-swd; and Sarah Air, LLC, Case No. 19-04268-swd.

WHEREFORE, Wells Fargo Bank, N.A. by counsel, Interlogic Outsourcing, Inc., IOI Payroll Services, Inc., IOI West, Inc., Lakeview Holdings, Inc., Lakeview Technology, Inc., ModEarn, Inc., and TimePlus Systems, by counsel, The Official Committee of Unsecured Creditors, by counsel, and KeyBank National Association, by counsel, respectfully request that the Court approve the *Stipulation for Third Continuance of Final Evidentiary Hearing on Motion for Relief From Stay*, and for all other relief in the premises. A proposed order is attached as Exhibit B.

Dated: February 24, 2020

Respectfully submitted,

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EXHIBIT A

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

INTERLOGIC OUTSOURCING, INC.,¹

Debtors.

Case No. 20-00325-swd
Hon. Scott W. Dales
Chapter 11
(Jointly Administered)

**STIPULATION FOR THIRD CONTINUANCE OF
FINAL EVIDENTIARY HEARING ON MOTION FOR RELIEF FROM STAY**

COME NOW Wells Fargo Bank, N.A. ("Wells Fargo"), by counsel, Interlogic Outsourcing, Inc., IOI Payroll Services, Inc., IOI West, Inc., Lakeview Holdings, Inc., Lakeview Technology, Inc., ModEarn, Inc., and TimePlus Systems, LLC (collectively, the "Debtors"), by counsel, The Official Committee of Unsecured Creditors (the "Committee"), by counsel, and KeyBank National Association ("KeyBank"), by counsel, and enter into this *Stipulation for Third Continuance of Final Evidentiary Hearing on Motion for Relief From Stay* ("Stipulation") upon the terms set forth as follows:

1. On November 13, 2019, Wells Fargo filed its Motion for Entry of an Order Pursuant to 11 U.S.C. § 362(d) Authorizing (I) Relief from the Automatic Stay to Enforce its Rights Against Bank Accounts and a Continued Freeze on the Accounts, or (II) Granting Adequate Protection (the "Motion").
2. On November 27, 2019, KeyBank filed its objection to the Motion.
3. On November 29, 2019, the Debtors filed their objection to the Motion.
4. On November 29, 2019, the Committee filed its objection to the Motion.
5. Per the *Order Setting Final Evidentiary Hearing on Motion for Relief from Stay and Corresponding Trial Instructions to Parties* [ECF No. 550], the Bankruptcy Court for the Northern

¹ The Debtors include: Interlogic Outsourcing, Inc., Case No. 20-00325-swd; IOI Payroll Services, Inc., Case No. 20-00326-swd; TimePlus Systems, LLC, Case No. 20-00332-swd; IOI West, Inc., Case No. 20-00327-swd; Lakeview Technology, Inc., Case No. 20-00330-swd; Lakeview Holdings, Inc., Case No. 20-00329-swd; and ModEarn, Inc., Case No. 20-00331-swd.

District of Indiana (the "Indiana Court") scheduled a final evidentiary hearing pursuant to § 362(e) on December 16, 2019, at 10:00 a.m., with respect to the Motion (the "Order").

6. To allow the parties additional time to prepare and to discuss potential resolution of the Motion and objections thereto, Wells Fargo, the Debtors, the Committee, and KeyBank stipulated and agreed to continue the hearing on the Motion to **January 14, 2020, at 1:30 p.m.**, by stipulation [ECF No. 569] with joint motion to approve [ECF No. 570] filed on December 9, 2019 which the Indiana Court granted pursuant to its Order of December 10, 2019 [ECF No. 576].

7. Given the intervening holidays and discovery requests, the parties further stipulated and agreed that the parties to respond to outstanding discovery requests on or before **February 21, 2020**; exchange exhibit and witness lists on or before **February 28, 2020**, and that depositions shall occur the weeks of **March 2, 2020**, and **March 9, 2020**.

8. On January 7, 2020, the Indiana Court approved the stipulation and continued the evidentiary hearing on the Motion and objections thereto to **March 23, 2020**. Upon the transfer of the Debtors' chapter 11 cases to this Court, the Indiana Court entered an Order Removing Hearing on January 21, 2020.

9. On January 31, 2020 the parties met and discussed a potential settlement. The parties reasonably anticipate that it will take another 30 to 60 days to complete meaningful settlement discussions and/or prepare for an evidentiary hearing with respect to the issues related to the Motion and objections thereto.

10. Accordingly, the parties further stipulate and agree that the parties will respond to outstanding discovery requests on or before **April 17, 2020**; exhibit and witness lists shall be exchanged on or before **April 24, 2020**, with a copy to the Court; and depositions shall occur the weeks of **April 27, 2020**, and **May 4, 2020**. Any pre-hearing brief by any party shall be filed with the Court no later than five (5) days before the rescheduled evidentiary hearing set forth below.

11. Wells Fargo, the Debtors, the Committee, and KeyBank further stipulate and agree to continue the evidentiary hearing on the Motion and objections thereto to **May 20, 2020, at 11:00 a.m.**, in the United States Bankruptcy Court for the Western District of Michigan, 410 West Michigan, Room 114, Kalamazoo, Michigan 49007.

12. Except as modified herein, all other applicable provisions of the Order shall remain in effect.

SO AGREED THIS 24TH DAY OF FEBRUARY, 2020.

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EXHIBIT B

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

INTERLOGIC OUTSOURCING, INC.,¹

Debtors.

Case No. 20-00325-swd
Hon. Scott W. Dales
Chapter 11
(Jointly Administered)

**ORDER APPROVING STIPULATION FOR THIRD CONTINUANCE OF FINAL
EVIDENTIARY HEARING ON MOTION FOR RELIEF FROM STAY**

Wells Fargo Bank, N.A., Interlogic Outsourcing, Inc., IOI Payroll Services, Inc., IOI West, Inc., Lakeview Holdings, Inc., Lakeview Technology, Inc., ModEarn, Inc., and TimePlus Systems, The Official Committee of Unsecured Creditors, and KeyBank National Association, having filed their *Joint Motion to Approve Third Stipulation for Continuance of Final Evidentiary Hearing on Motion for Relief From Stay* ("Joint Motion"). The Court, having examined said Joint Motion, and being duly advised in the premises, now finds that said Joint Motion should be granted.

IT IS, THEREFORE, ORDERED that the *Stipulation for Third Continuance of Final Evidentiary Hearing on Motion for Relief From Stay* is approved in all regards.

¹ The Debtors include: Interlogic Outsourcing, Inc., Case No. 20-00325-swd; IOI Payroll Services, Inc., Case No. 20-00326-swd; TimePlus Systems, LLC, Case No. 20-00332-swd; IOI West, Inc., Case No. 20-00327-swd; Lakeview Technology, Inc., Case No. 20-00330-swd; Lakeview Holdings, Inc., Case No. 20-00329-swd; and ModEarn, Inc., Case No. 20-00331-swd.